

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE Assigned U.S.
 OTHER MINOR OFFENSE MO ☐ 1085/4 8510
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 10-1-76 (LAST, FIRST, MIDDLE)

HOMER LEE GAFFORD (Bond) (57)

468 So. 94th E. Ave.

Tulsa, OK 74112 PH: 836-5340

Case Filed
Mo. Day

7 13

76-CR-101 - 1

No. of Def's

* 1

Yr. Docket No. Del.

U.S. TITLE/SECTION

18:2313

OFFENSES CHARGED

Receipt of stolen vehicle
(\$5,000 and/or 5 yrs)

ORIGINAL COUNTS

1

U.S. MAG.
CASE NO.

BAIL • RELEASE

☐ AMT ☐ Fugitive
 Denied Set ☐ Pers. Recog.

\$ 5 000 conditions

Date 7-13-76 ☒ 10% Deposit

☐ Bail Not Made ☒ Surety Bond/C

☒ Status Changed (See Docket) ☐ Collateral

☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 7-19-76	High Risk Date 7-13-76	7-22-76	Trial Set For 9-7-76	Voir Dire 9-7-76
Summons Served	Information <input type="checkbox"/>	1st Plea "	Trial Began 9-7-76	Disposition of Charges <input checked="" type="checkbox"/> Convicted
First Appearance	Indict. Waived <input type="checkbox"/>	Final Plea	Trial Ended 9-8-76	<input checked="" type="checkbox"/> On All Charges
	In Charging District			<input type="checkbox"/> On Lesser * Offense(s)
	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>			<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

MAGISTRATE		OUTCOME:	
Search Warrant	Issued Return	INITIAL APPEARANCE DATE	DISMISSED <input type="checkbox"/>
Summons	Issued Served	PRELIMINARY EXAMINATION OR REMOVAL HEARING	HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/>
Arrest Warrant Issued		DATE Scheduled	HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW <input type="checkbox"/>
COMPLAINT		DATE Held	
OFFENSE (In Complaint)		WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/>	
		Tape Number	
		INTERVENING INDICTMENT <input type="checkbox"/>	

U.S. Attorney or Asst.

Ben F. Baker

ATTORNEYS

Defense: ☒ CJ ☐ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

Ed Parks, Jr. 582-3222

217 W. 5th

Tulsa 74119

* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
7-13-76		Record vote of grand jury, filed in open ct. rm	
7-13-76		Indictment, filed in open court. rm (bond set in amt. of \$5,000 C/S) (HDC-J)	
7-14-76		Warrant for arrest of def. issued. rm	
7-15		Deft's mo/reduce or modify bail, filed. hm	
7-15		MO: Ordered by the Court that there being no obj. by the govt. to the reduction of bond, the bond is hereby reduced to \$5,000 10% cash. (HDC-J)hm	
7-16		MO: Case set for ARRAIGNMENT AND PLEA for Thursday, July 22, 1976 at 9:30 a.m. (HDC-J)rm-notices (Def. granted to 7/26/76 to file any and all motions; govt. 5 days thereafter to respond.)	
7-19		Deft. released on \$5,000 - 10% cash deposit bond. (CSB-Mag.)kt	
7-22		Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. ack. receipt of ind., is arraigned & enters plea of NOT GUILTY. Case set for jury trial 9-7-76 at 9:30 a.m. & for PT 8-20-76 in afternoon. Deft. given until 7-26-76 to file motions. Deft. allowed to stand on present bond. (HDC-J)hm	

DATE	HOMER LEE GAFFORD (DOCUMENT NO.)	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Exclud- able Delay Per 18 U.S.C. 3161(h)
				Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
1976								
7-19	Appearance bond of Homer Lee Gafford in the amt. of \$5,000/10% deposit, cash with order specifying methods and conditions of release, filed. ph							A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
7-26	Return on Warrant for Arrest of Deft., fld. Executed by arresting Deft. on 7-19-76 in Tulsa, OK. v							B. NARA Examination (28 U.S.C. 2902).
8-20	Pre-trial hearing held. Deft. present & rep.; govt. rep. Stipulation as to test. of Helen Scott made by parties. Written stip. to be filed re same. Jury to be selected 9-7 and will be 2nd case on docket. Govt. to file statement of authority by 8-25 & deft. to respond by 8-31. Req. instructions to be filed prior to 9-7. (EST-1 day)(HDC-J)hm			3	8-20-76 8-20-76	E	1	C. State or Federal trials on other charges. D. Interlocutory Appeals. E. Hearings on pretrial motions. F. Transfers from other districts (per F.R.C.P. Rules 20, 21 & 40).
8-23	Pltf's memo. on the admissibility of pltf's evidence concerning other crimes, filed. ph							G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
8-30	Deft's memo. on the inadmissibility of pltf's evidence concerning other crimes, filed. ph							H. Miscellaneous Proceedings. Probation or Parole revocation. Deportation. Extradition.
8-30	Subpoena, ret & filed: Served Richard Hicks on 8-24-76 at Nowata, OK, w/fees of \$14.72. ph							I. Prosecution deferred by mutual agreement.
8-30	Subpoena, ret & filed: Served Chuck Granholm on 8-24-76 at Joplin, Missouri w/fees of \$19.80. ph							M. Unavailability of defendant or essential witness.
9-8	Return on Subpoenas to Testify, fld. Served Roy E. Knight and Ron Kassanavoid in Tulsa, OK, on 9-8-76. v							N. Period of mental or physical incompetence of defendant to stand trial.
9-8	Jury trial held Sept. 7&8. Deft. present & rep.; govt. rep. Parties announce ready. In chambers prior to trial, Court overrules deft's obj. to admissibility of govt's evidence. Jury empaneled, admonished & sworn. Pltf. makes opening statement. Deft. defers same until close of pltf's case. Pltf. presents case in chief w/ test. of witnesses & introduction of exhibits. Pltf. rests. Deft. makes opening statement. Deft. presents case in chief w/test. of witnesses & introd. of exhibits & rests. Pltf. presents rebuttal evid. w/test. of witnesses & rests. Parties rest. Closing arguments given. Instructions given to the jury. Jury retires to deliberate at 2:45 p.m. on 9-8-76 & returns w/ verdict finding deft. GUILTY at 4:47 p.m. Verdict ordered received, read & filed in open court. Jury discharged. Case set for sentence 10-1-76 at 9:30 a.m. & deft. allowed to stand on present bond. (HDC-J)hm							O. Period of NARA Commitment or Treatment. P. Superseding indictment and/or new charges. R. Defendant awaiting trial of Co-defendant when no severance has been granted.
9-8	Trial exhibits, filed. hm (with file)							T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants interests).
9-8	Deft's requested instruction, filed in open court. hm							U. Time between guilty plea and plea withdrawal.
9-8	Instructions to the jury, filed in open court.(HDC-J)hm							W. Grand Jury indictment extended per 3161 (b).
9-8	Verdict, filed in open court, finding deft. GUILTY.hm							
9-9	Return on subpoena to testify, fld. Served Jimmy D. Jackson. v							

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

76-CR-101-1

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
9-14-76	Subpoenae, ret. & filed: served Officer David Gurthet 8-17-76; Helen Scott on 8-18-76; Chuck Granholm & John Fritchey on 9-1-76. g				
10-1	Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment & Sentence - HOMER LEE GAFFORD (57) Atty. Gen. - Two (2) Years, & the deft. may become eligible for parole at such time as the U.S. Parole Commission may determine as provided in T. 18, U.S.C.A. Sec. 4205(b)(2). IT IS FURTHER ORDERED that the sentence imposed shall run concurrently with the sent. imposed in Case No. 76-CR-69. Deft. advised of right to appeal. Deft. remanded to cust. of U.S. Marshal. (HDC-J)hm				
10-1	Judgment and commitment, filed and entered. (HDC-J)hm				
10-1	Two c/c of J&C delivered to U.S. Marshal. hm				
10-1	Ordered that \$500 posted by the deft. Gafford be returned to the deft. (HDC-J)ph cps mld				
10-5	Reporter's transcript of all proceedings (Vol 1), filed. (T. Bloxom-CR)rm				
10-5	Reporter's transcript of all proceedings (Vol II) filed. (T. Bloxom-CR)rm				
10-13	J&C, ret. & filed: deft. delivered to USP, Leavenworth, Ks. on 10-8-76. g				
1-28-77	Deft's motion to reduce sentence, filed. ph				
1-28-77	Deft's brief in support of motion to reduce sentence, filed. ph				
2-24-77	Order, filed, ^{and entered,} that motion for reduction of sentence is overruled. (HDC-J)ph cps mld				
6-1-77	Motion to reduce sentence filed pro se by Mary Gafford, wife of defendant. g				
6-1-77	Order, filed, overruling motion for reduction of sentence. (HDC-J)g cp mld.				
1-30-78	Sub. to testify, ret & filed: Served Mrs. Herbert L. Church on 9-7-76 in office of US Atty. ph				
1-30-78	Sub. to testify, ret & filed: Served Herbert L. Church on 9-7-76 in office of US Atty. ph				
<u>1981</u>					
1-8-81	Exhibits returned to respective parties.am				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
	(Document No.)	(a)	(b)	(c)	(d)

AO-257

Interval
(per Section II)

Start Date
End Date

Ltr. Total
Code Days